



IFW \$DAE

Patent

Customer No.: 26308

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Ralph et al.

Attorney Docket No.: 1759.17239-FOR

Serial No.: 10/001,937

Examiner: A. Ramana

Filed: 25 October 2001

Group Art Unit: 3732

Title: Systems and Methods for Reducing Fractured Bone Using a Fracture Reduction Cannula

PETITION FOR AN UNINTENTIONALLY DELAYED BENEFIT CLAIM
PURSUANT TO 37 C.F.R. §1.78(a)(3)

Office of Petitions
Box DAC
Assistant Commissioner for Patents
Washington, D.C. 20231



26308

PATENT TRADEMARK OFFICE

Dear Sir:

Applicant requests to amend the benefit claim under 35 U.S.C. §120 of the above-noted application as follows in marked-up form:

This application is a continuation-in-part of copending United States Application Serial No. 10/617,976, filed July 11, 2003, entitled "Systems and Methods for Placing Materials into Bone," which is a divisional of United States Application Serial No. 09/804,107, filed March 12, 2001, now U.S. Patent No. 6,613,054, which is divisional of United States Application Serial no. 09/134,323, filed August 14, 1998, now U.S. Patent No. 6,241,734. This application also claims the benefit of United States provisional application serial No. 60/243,194 filed 25 October 2000.

Applicant states that the entire delay between the date the claim was due under paragraph (a)(2)(ii) of 37 C.F.R. §1.78 and the date the claim was filed was unintentional.

Applicant hereby petitions for acceptance of the unintentionally delayed benefit claim.

The requisite fee under 37 C.F.R. §1.17(t) is submitted herewith.

Respectfully Submitted,

By Patricia A. Limbach
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21 May 2004

Customer No.: 26308

Kyphear/17239-FOR/940521 Petition Under 37 C.F.R. 1.78(a)(3)

Enclosure: Return postcard



CERTIFICATE OF FIRST CLASS MAIL

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail, with sufficient postage, on the date indicated below in an envelope addressed as follows: Office of Petitions, Box DAC, Assistant Commissioner for Patents, Washington, D.C.
20231

By: Linda S. Wenzel

Dated: 21 May 2004

Linda S. Wenzel